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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,712	01/19/2000	Yutaka Iyoki	P18943	3484

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EXAMINER

NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 12/01/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/487,712

Applicant(s)

IYOKI, YUTAKA

Examiner

Quang N. Nguyen

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17, 19, 21, 23-27, 30-33 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17, 19, 21, 23-27, 30-33 and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/19/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Detail Action

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/12/2003 has been entered.

Claims 17, 19, 21, 23-27, 30-33 and 43 are presented for examination. Claims 17, 19, 21, 24 and 30-33 have been amended. Claims 1-16, 18, 20, 22, 28-29 and 34-42 have been cancelled. Claim 43 has been added as a new claim.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. **Claims 17, 19, 21, 23-27, 30-33 and 43 are rejected under 35 U.S.C. 102(a) as being anticipated by Grasso et al. (US 5,892,909), herein after referred as Grasso.**

4. As to claim 17, Grasso teaches a communication apparatus connectable to a plurality of terminals via a network, comprising:

a storage device (mass storage 107 of Fig. 1A) that stores application software or "programs" for execution by the system (i.e., stores a HTML file including an applet that performs a reception notification application) (Grasso, C6: L59-65, C11: L54-67, C12: L1-8 and L49-55, C25: L4-24);

a server that transmits said HTML file stored in said storage device to at least one terminal, of said plurality of terminals, in accordance with a request for said HTML file from said at least one terminal (a server process 171 distributes information across the Internet, wherein Java and HTML objects and forms are used to communicate across the Internet as a common carrier to Distributor 177, Recipient 175 and Coordinator 173) (Grasso, Fig. 1C and C12: L20-55);

a controller that performs a data communication with said at least one terminal, utilizing the applet executed by said at least one terminal that received said HTML file (the server includes an IP connection 210 for distributing/delivering information across the Internet, wherein Java and HTML objects and forms are used to communicate across the Internet as a common carrier) (Grasso, Fig. 2 and C12: L20-55);

a receiver that receives at least one of facsimile data and e-mail data (Grasso, C11: L60-64, C12: L45-62 and C27: L20-46);

a detector that detects reception of the at least one of facsimile data and e-mail data by said receiver (an e-mail system such as SMTP/POP3 or MAPI-compliant mail system has a detector for detecting reception of new coming e-mails, for example, a

pop-up message window with a text/voice message "You Got Mail" or an alert sound being played), said communicator transmitting said reception notification to said at least one connected terminal via the network, utilizing the applet executed by said at least one terminal, when said detector detects said reception of the at least one facsimile data and e-mail data, said communicator transmitting said reception notification so that the facsimile data and the e-mail data are distinguishable by said at least one terminal (the facsimile data and the e-mail data are distinguishable by the Title and Description, which identify the "who", "what", "where" and "when" of the distribution, that are displayed in the body of a cover letter for the distribution to help the recipients identify the content) (Grasso, C9: L38-50, C14: L57-67, C15: L1-17, C16: L10-22, L59-67, C18: L1-7, C20: L64-67, C21: L1-14 and C25: L4-24).

5. As to claim 19, Grasso teaches the apparatus of claim 17, wherein said e-mail data is transmitted via the Internet (Grasso, C11: L54-65, C12: L45-55 and C27: 40-46).

6. As to claim 21, Grasso teaches the apparatus of claim 17, wherein at least one of the facsimile data and the e-mail data is transmitted via a Public Switched Telephone Network (PSTN), i.e., dial-up IP access (Grasso, C11: L54-65).

7. As to claim 23, Grasso teaches the apparatus of claim 17, wherein said applet determines whether a request for said reception notification is valid (i.e., when the notification policy is the deliver policy, transmit the notification and stop transmit the

notification when there is a no action policy), said reception notification being transmitted to said at least one connected terminal when said request for said reception notification is determined to be valid (Grasso, C18: L20-22).

8. As to claims 24-25, Grasso teaches the apparatus of claim 17, further comprising an imaging device, i.e., a printer that displays the at least one of facsimile data and e-mail data received by said receiver (Grasso, printing device 108 of Fig. 1A, C6: L52-54).

9. As to claim 26, Grasso teaches the apparatus of claim 17, wherein said controller closes the connection with said at least one connected terminal in accordance with an end request transmitted by said at least one connected terminal (Grasso, C6: L66-67, C7: L1-7, C26: L48-67 and C27: L1-14).

10. As to claim 27, Grasso teaches the apparatus of claim 17, wherein said HTML file is displayed at said at least one terminal (Grasso, display device 106 of Fig. 1B).

11. Claims 43, 30-33 are corresponding method claims of claims 17, 19, 21, 23 and 26; therefore, they are rejected under the same rationale.

12. Applicant's arguments as well as request for reconsideration filed on 09/12/2003 have been fully considered but they are moot in view of the new ground(s) of rejection.

13. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

14. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER